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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/554,216

10/24/2005

Morihiro Murata

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EXAMINER

PRANGE, SHARON M

ART UNIT

PAPER NUMBER

4133

MAIL DATE

DELIVERY MODE

03/11/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/554,216	<b>Applicant(s)</b> MURATA ET AL.	
	<b>Examiner</b> SHARON M. PRANGE	<b>Art Unit</b> 4133	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/24/2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/24/2005 and 12/28/2006</u> .                               | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 6, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention.

See MPEP § 2173.05(d).

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Liu (US Patent No. 6,540,071).

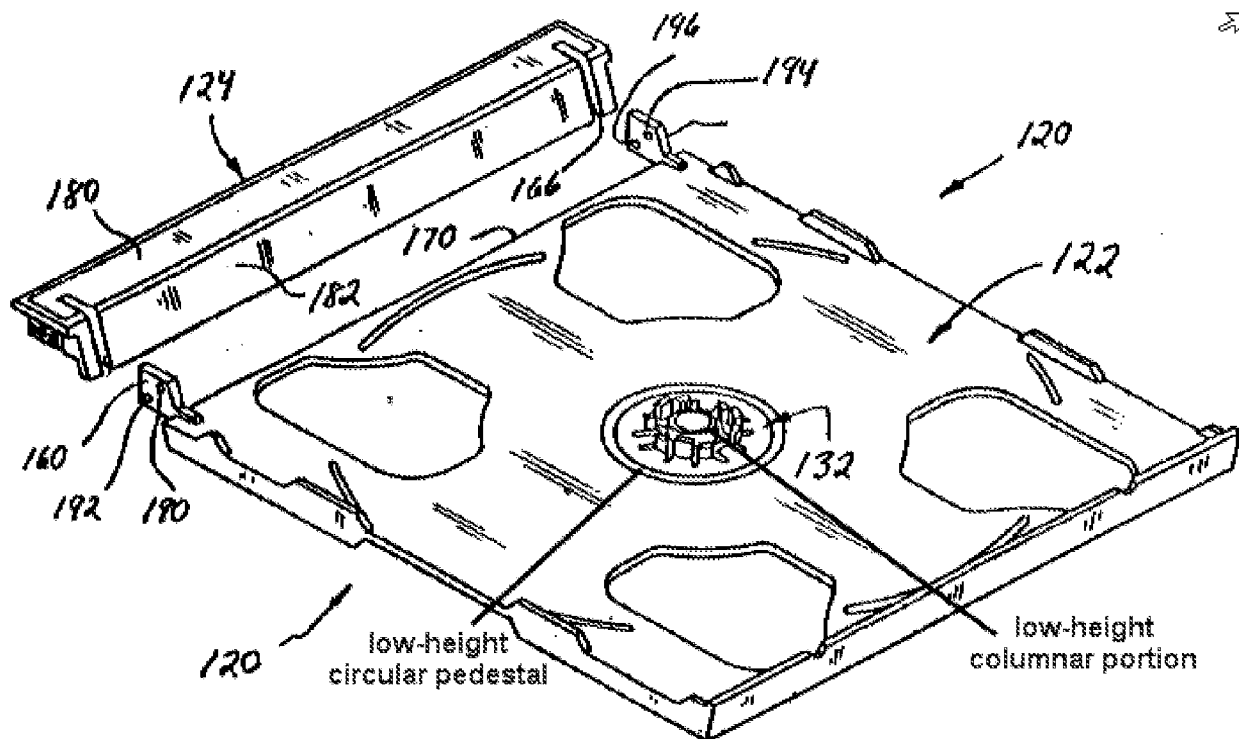
Regarding claim 1, Liu discloses: a storage case (280) comprising: a case body (286), a case cover (282), and a supporting plate (288) whose one surface is provided with a holding segment (314) for holding at least one portion of an object to be stored, the holding segment being disposed in a section of the one surface proximate a base

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end of the supporting plate, the object being inserted into and taken out from the holding segment from a free end side of the supporting plate (column 8, lines 45-53, column 9, lines 21-23; Fig. 18, 19); and a four-link mechanism including a first hinge pivotally supporting the case body and the case cover in an openable/closeable manner; a second hinge via which the base end of the supporting plate is pivotally supported by the case body in an openable/closeable manner such that the holding segment of the supporting plate faces the case body (column 9, lines 1-20; Fig. 18); and a third hinge and a fourth hinge via which opposite ends of an arm segment disposed between the supporting plate and the case cover are pivotally supported by the supporting plate and the case cover in an openable/closeable manner. The third and fourth hinges are the symmetrical equivalents of the first and second hinge on the opposite side of the case body and cover. Each projection and opening is considered to be a separate hinge. When the storage case is closed so that the case cover (282) is rotated to a position on top of the storage case, the object stored in holding segment (314) is positioned below the supporting plate (288) with the object and supporting plate in a storing position. When the case cover (282) is then opened from this position, the object is rotated into a position above the supporting plate, as in Figure 19.



Regarding claim 3, Liu discloses a holding segment including a circular-arc portion for holding a portion of an outer periphery of a disc-shaped recording medium (Fig. 19); a low-height columnar portion engageable with a center hole of the disc-shaped recording medium; and a low-height circular pedestal for holding a peripheral region around the center hole of the disc-shaped recording medium so as to keep the disc-shaped recording medium in an elevated state from the supporting plate (Fig. 7). The holding segment on supporting plate (288) can be identical to the holding segment disclosed in the embodiment of the invention shown in Fig. 7 (column 9, lines 28-31).



Regarding claim 4, Liu discloses a circular hole in the case body engageable with an end of the columnar portion of the supporting plate. The columnar portion is indirectly engageable with the hole, as the Applicant does not positively recite direct engagement.

Regarding claim 5, Liu discloses a storage case in which a case cover (282, 284), supporting plate (288, 290), and four-link mechanism is provided on each of two sides of the case (Fig. 18, 19).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liu.

Liu teaches one embodiment of the invention where the case cover is provided with an accessory storage portion (96) so that an accessory can be inserted into or taken out from the accessory storage portion (column 4, lines 15-18; Fig. 2)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the accessory storage portion (96), for example, as taught in the embodiment of Figure 2, with the case cover of the embodiment in Fig. 18 and 19 in order to retain an accessory or paper insert.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The reference Choi (US Patent No. 5,685,425) discloses a media disc storage case. The reference Hummell et al. (US Patent No. 6,409,014) discloses a media disc storage case.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHARON M. PRANGE whose telephone number is (571)270-5280. The examiner can normally be reached on M-F 7:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frantz Coby can be reached on (571) 272-4017. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sharon M Prange/  
Examiner, Art Unit 4133

/Frantz Coby/  
Supervisory Patent Examiner  
Art Unit 4133



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